

**MINUTES OF A REGULAR MEETING OF
THE ENVIRONMENTAL QUALITY AND
ENERGY CONSERVATION COMMISSION**

1. CALL TO ORDER

The Torrance Environmental Quality and Energy Conservation Commission convened in a regular session at 7:04 p.m. on Thursday, September 1, 2011 in the West Annex meeting room at Torrance City Hall.

2. ROLL CALL:

Present: Commissioners Cunningham, Gobble, Reilly,
Robbins, Watson, and Chairperson Griffiths.

Absent: Commissioner Chim.

Also Present: Deputy Community Development Director Cessna,
Senior Environmental Quality Officer Jones,
Torrance Police Lieutenant D'Anjou, and
Torrance Police Operations Supervisor Aceves.

MOTION: Commissioner Watson moved to grant Commissioner Chim an excused absence for the September 1, 2011 Commission meeting. Commissioner Gobble seconded the motion; a voice vote reflected unanimous approval.

3. SALUTE TO THE FLAG

Commissioner Robbins led the Pledge of Allegiance.

4. POSTING OF THE AGENDA

MOTION: Commissioner Robbins, seconded by Commissioner Gobble, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; a voice vote reflected unanimous approval.

5. ORAL COMMUNICATIONS FROM THE PUBLIC

Debra Corwin, West Bulova Street, inquired if a new Animal Control Supervisor has been hired yet and was informed that interviews were conducted last week but results have not been posted.

Amy Wagner, West 228th Street, distributed brochures and discussed the American Kennel Club's Canine Good Citizen Program, a recent annual Collie Club puppy match and rescue, and a Responsible Dog Owner Day in Gardena on September 18, 2011.

6. APPROVAL OF MINUTES

6A. MINUTES OF AUGUST 4, 2011

MOTION: Commissioner Reilly moved for the approval of the August 4, 2011 meeting minutes as submitted. Commissioner Cunningham seconded the motion; a voice vote reflected unanimous approval (absent Commissioner Chim, Commissioner Robbins abstaining).

7. ENVIRONMENTAL MATTERS

7A. DISCUSSION REGARDING THE DRAFT ORDINANCE PROHIBITING THE FEEDING OF BIRDS ON PUBLIC PROPERTY

Deputy Director Cessna provided background on the item continued from the February 3, 2011 Commission meeting. She reported that the Police Department worked with the City Attorney to craft language that would reflect concerns expressed at that meeting; however, the City Attorney recommends that the ordinance go forward as previously written.

Lieutenant D'Anjou introduced Police Operations Supervisor Aceves. Referring to a question raised at the February meeting, he explained that using a Public Nuisance ordinance to address the bird feeding issue would be extremely difficult and expensive to enforce and that the City Attorney does not recommend it. Responding to a suggestion to add language making "large scale feeding" of birds a violation, he stated that the City Attorney advised that enforcement would be cost prohibitive and time/labor intensive.

At 7:15 p.m., Chairperson Griffiths welcomed comments from the public.

Aniqa Azad, West 190th Street, voiced support for the ordinance and discussed problems caused by feeding pigeons and sea gulls at Columbia Park that include roof damage, decreased property values, and spread of disease.

Valerie Ellis, Plaza Del Amo, read and entered into record a February 23, 2011 letter from Nina Dabbieri, Via El Chico, to Planning Manager Lodan expressing her opposition to the proposed ordinance.

Doug Austin, Park Place, expressed support for the ordinance to resolve the destruction of property and health issues caused by excessive bird feeding.

Jae Kim, West 190th Street, urged the Commission to recommend passing the ordinance, noting that there is more than one person feeding birds at Columbia Park.

Terry Furey, Cranbrook Avenue, voiced support for the ordinance to address the large number of birds that wait all day to be fed at Columbia Park.

Mimi Im, West 190th Street, pleaded passage of the ordinance and stated that her backyard is unusable because of bird feces and health concerns.

Commissioner Robbins stated that the unwanted behavior at Columbia Park is unfair to residents and park visitors, that he is in favor of recommending adoption to City Council, and suggested using Park Rangers to assist with enforcement.

In response to Commissioner Watson's inquiry, Deputy Director Cessna explained that the original ordinance has been determined to be the most enforceable, adding that a "Where as" section could be added to make the intent clear.

Lieutenant D'Anjou stated that the ordinance is similar to those passed in other jurisdictions and that it is not being proposed to target one homeless individual who is in fact not homeless. He pointed out that more than one person is feeding birds at Columbia Park and that problems also exist at Wilson Park, downtown Torrance, and at 171st and Gramercy Avenue. He noted the damage being done to parks and public right-of-ways, adding that Park Services is unable to clean it.

Commissioner Gobble thanked audience members for their comments. He stated that he sympathizes with residents but expressed concern about citations being issued for the small feeding of birds.

Lieutenant D'Anjou explained discussions with the City Attorney, the difficulty in enforcing and prosecuting the ordinance with revisions suggested at the February meeting, and the difference between the letter of the law and the spirit of the law. He added that Animal Control has no way to relocate the birds or "thin the population" but asserted that once the food source is taken away, the birds will have no choice but to go elsewhere. He offered to explore the possibility of using sterile grain in the future.

Commissioner Reilly voiced support for recommending approval of the ordinance and, in response to her inquiry regarding enforceability, Lieutenant D'Anjou stated that officers do not need to see the crime occurring, just a connection.

Commissioner Cunningham thanked residents for their patience with the process and, responding to his inquiries, Lieutenant D'Anjou stated that signage would be installed at parks, explained the enforcement and prosecution process, and advised that restitution was a civil matter.

MOTION: Commissioner Gobble moved to recommend adoption of the ordinance to ban the feeding of birds on public property as presented. Commissioner Robbins seconded the motion; a roll call vote reflected unanimous approval (absent Commissioner Chim).

8. INFORMATION ITEMS

Deputy Director Cessna informed Commissioners that oil well re-ups would be considered at the October Commission meeting and that Senior Planning Associate Santana is scheduled to give a presentation on electric vehicles in November. She advised that a date has not been set yet for the joint meeting with City Council.

9. NEW BUSINESS

9A. Commissioner Cunningham announced the Surfrider Foundation's Ocean Friendly Garden workshop in conjunction with the South Bay Environmental Services Center (SBESC) at Wilderness Park in Redondo Beach on September 10, 2011 as well as a SBESC's LEED certification workshop on November 4, 2011.

9B. Commissioner Cunningham stated that the clean energy natural gas fueling station on Madrona Avenue should be opening soon and that the August 15, 2011 Southern California Edison homeowner solar workshop was informative.

9C. Commissioner Cunningham suggested inviting a representative from a local environmental remediation firm to give a presentation at a future Commission meeting on groundwater and soil remediation and the park redevelopment project.

Seeing interest from Commissioners, Chairperson Griffiths requested that staff make arrangements.

9D. Commissioner Gobble stated that 8,000 lamps were exchanged at the Forum on August 17-18, 2011, that he had the opportunity to visit a LEED platinum building and roof garden at Long Beach Aquarium, and showed biodegradable ice cream cups made by a company in Carpenteria.

9F. Commissioner Reilly stated that she also attended the Southern California Edison workshop and enjoyed learning about rebates, products, and vendors.

9G. Commissioner Reilly stated that she had the opportunity to drive electric vehicles at a SBCCOG meeting and discussed a subcommittee that is considering changing names of bus and train stations.

9H. Commissioner Robbins announced a Port Check L.A. Green Technology forum later this month in San Pedro.

9I. Commissioner Robbins discussed an article about a solar panel company that has filed for bankruptcy due to overseas competition.

9J. Commissioner Watson shared information about a television program that talked about what cities are doing for greening, a newspaper article about electric vehicles, and Manhattan Beach building code changes reported in the Beach Reporter.

9K. Chairperson Griffiths discussed an August 31, 2011 Daily Breeze article regarding Hermosa Beach's consideration to eliminate parking fees for electric and natural gas vehicles.

9L. Chairperson Griffiths asked staff to bring back a list of incentives that the City has offered over the last few years.

9M. Chairperson Griffiths recommended visiting the SBESC's website to see their Calendar of Events and noted that the deadline for the Energy Upgrade California program is September 5, 2011.

10. ADJOURNMENT

MOTION: At 8:18 p.m., Commissioner Watson moved to adjourn the meeting to October 6, 2011 at 7:00 p.m. in the West Annex meeting room. Commissioner Cunningham seconded the motion and, hearing no objection, Chairperson Griffiths so ordered.

Approved as Submitted October 6, 2011 s/ Sue Herbers, City Clerk
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